

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:06cr214-MEF
)
DANIEL L. PLATT)

UNITED STATES OF AMERICA'S MOTION
FOR A FINAL ORDER OF FORFEITURE

The United States of America, by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case and states as follows:

That on April 2, 2007, this Court entered a Preliminary Order of Forfeiture ordering defendant Daniel L. Platt to forfeit the following property:

One Dell laptop computer, Model PP02X, Serial Number 6Y561 A00 containing one Fujitsu hard drive, Model Number MHS2030AT, Serial Number NL13T3517NGW.

That notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law as specified in the Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property was published in the Montgomery Advertiser newspaper on July 13, 20 & 27, 2007; and,

That no petitions of interest were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a Final Order of Forfeiture as proposed in the attached Order.

Defense counsel does not oppose entry of a Final Order of Forfeiture.

Respectfully submitted this 7th day of September, 2007.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/John T. Harmon
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CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2007, I electronically filed the foregoing Motion for Final Order of Forfeiture and Proposed Final Order of Forfeiture with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Tommie Brown Hardwick** and **Susan G. James**.

/s/John T. Harmon

John T. Harmon

Assistant United States Attorney

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UNITED STATES OF AMERICA)
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 v.) CR. NO. 2:06cr214-MEF
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DANIEL L. PLATT)

FINAL ORDER OF FORFEITURE

WHEREAS, on April 2, 2007, this Court entered a Preliminary Order of Forfeiture, ordering defendant Daniel L. Platt to forfeit the following property:

One Dell laptop computer, Model PP02X, Serial Number 6Y561 A00 containing one Fujitsu hard drive, Model Number MHS2030AT, Serial Number NL13T3517NGW.

The United States published notice of this forfeiture in the Montgomery Advertiser newspaper in accordance with the law and as specified in the Preliminary Order, and further notified all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property;

No timely petition has been filed; and,

The Court finds that defendant Daniel L. Platt had an interest in the property that is subject to forfeiture pursuant to 18 U.S.C. § 2253. The United States has established the requisite nexus between such property in the commission of the violation of 18 U.S.C. § 2252A(a) (5) (B) .

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The following property is hereby forfeited to the United States pursuant to 18 U.S.C. § 2253:

One Dell laptop computer, Model PP02X, Serial Number 6Y561 A00 containing one Fujitsu hard drive, Model Number MHS2030AT, Serial Number NL13T3517NGW.

2. All right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America and shall be disposed of according to law;

3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and,

4. The Clerk of the Court shall forward two certified copies of this Order to the United States Attorney's Office.

SO ORDERED this the ____ day of September, 2007.

UNITED STATES DISTRICT JUDGE